

Memorandum

To: CHAIR AND COMMISSIONERS
CALIFORNIA TRANSPORTATION COMMISSION

CTC Meeting: March 28-29, 2012

Reference No.: 2.6e.
Action Item

From: NORMA ORTEGA
Chief Financial Officer

Prepared by: Rachel Falsetti
Division Chief
Transportation Programming

Subject: **FINANCIAL ALLOCATION AMENDMENT FOR TCRP PROJECTS**
RESOLUTION TFP-11-08, AMENDING RESOLUTION TFP-05-10

RECOMMENDATION:

The California Department of Transportation (Department) recommends that the California Transportation Commission (Commission) approve Resolution TFP-11-08, re-allocating \$968,000 in previously allocated Traffic Congestion Relief Program (TCRP) funds for the Route 101; add HOV lanes through San Rafael, Sir Francis Drake Boulevard to North Pedro Road in Marin County (TCRP 17) project.

ISSUE:

At its August 2005 meeting, the Commission approved Resolution TFP-05-10 allocating \$12,249,000 in TCRP funds to this project. TCRP funds are available for expenditures for five years. The project has been completed with a savings of \$968,000 of TCRP funds. The reallocation of \$968,000 TCRP funds is now necessary to settle a legal claim.

Justification:

The second of the four segments was completed in September 2006. The contractor filed a claim relating to the Corte Madera Creek Bridge Widening scope of work. The Board of Review found that the contractor was entitled only to a portion of the claim. The contractor filed for arbitration in 2009. A final settlement was reached in August 2010. The remaining \$968,000 of TCRP funds is needed to settle this claim.

FINANCIAL RESOLUTION:

Resolved That:

The project(s), as component phases or in their entirety, appear under Government Code Section 14556.40(a) and are entitled to participate in this allocation.

Reimbursement of eligible costs is subject to the policies, restrictions and assurances as set forth in the Commission's policy for allocating, monitoring, and auditing TCRP projects, and is governed by the terms and conditions of the Fund Transfer Agreement, Program Supplement or Cooperative Agreement, and subsequent amendments to the same if required, as executed between the Implementing Agency and the Department.

Attachment

2.6 Mass Transportation Financial Matters

Project # Allocation Amount Implementing Agency District-County	BREF # and Project Description Description of Allocation	Item # Fund Type Program Code	Amount by Fund Type
2.6e. Traffic Congestion Relief Program Re-allocation		Resolution TFP-11-08, Amending Resolution TFP-05-10	
1 \$968,000 Department of Transportation 04 – Marin	Project #17 – Route 101; add HOV lanes through San Rafael, Sir Francis Drake Boulevard to North Pedro Road in Marin County. Construct a high occupancy vehicle (HOV) lane in each direction. Re-allocate \$968,000 in previously allocated TCRP funding for Construction. <u>Outcome/Output:</u> Complete construction related activities.	Chapter 91 of the Statutes of 2000 889-3007 20.20.710.870	\$968,000